

**UNOFFICIAL VERSION**

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**MONDAY, APRIL 3, 2017**

**TWENTY-SECOND LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 3:00 p.m., and was called to order by Mr. Speaker McNally.

**PRAYER**

The proceedings were opened with prayer by Pastor James Kendrick of Oak Grove Baptist Church in Memphis, Tennessee, a guest of Senator Norris.

**PLEDGE OF ALLEGIANCE**

Senator Norris led the Senate in the Pledge of Allegiance to the Flag.

**SALUTE TO THE FLAG OF TENNESSEE**

Senator Norris led the Senate in the Salute to the Flag of Tennessee.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 31

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

**COMMUNICATIONS**

March 21, 2017

The Honorable Randy McNally  
Lt. Governor  
Suite 1, Legislative Plaza  
Nashville, TN 37243

Dear Governor McNally:

I respectfully request to be excused from the Senate and the Senate's Floor Session on Monday, April 3, 2017, as I will be out of town.

Thank you for your consideration.

Sincerely yours,

/s/ Doug Overbey  
State Senator

APPROVED: Lieutenant Governor  
Randy McNally

**MONDAY, APRIL 3, 2017 -- 22ND LEGISLATIVE DAY**

April 3, 2017

The Honorable Randy McNally  
Lieutenant Governor of Tennessee  
Suite 1, Legislative Plaza  
301 6th Avenue North  
Nashville, Tennessee 37243

Dear Lieutenant Governor McNally:

I respectfully request that my absence at today's Senate Session, April 3, 2017, be excused due to out-of-town travel.

Thank you for your consideration of this request.

Sincerely,

/s/ Brian Kelsey

APPROVED: Lieutenant Governor  
Randy McNally

### **STANDING COMMITTEE REPORT**

#### **COMMERCE AND LABOR**

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 261 with amendment, 297 with amendment, 355, 357, 482 with amendment, 589 with amendment, 657 with amendment, 837, 941 with amendment, 956, 997 with amendment, 1303 with amendment, 1364 with amendment and 1387 with amendment; also, recommend that Senate Bills Nos. 438 and 1086 with amendment be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson  
April 3, 2017

The Speaker announced that he had referred Senate Bills Nos. 261 with amendment, 297 with amendment, 355, 357, 482 with amendment, 589 with amendment, 657 with amendment, 837, 941 with amendment, 956, 997 with amendment, 1303 with amendment, 1364 with amendment and 1387 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 438 and 1086 with amendment to the Committee on Finance, Ways and Means.

#### **PRESENTATION**

Senators Norris and Jackson presented **Senate Bill No. 1233** to the family of the late Agent De'Greaun ReShun Frazier.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 1445 and 1446** be passed on first consideration, which motion prevailed.

**INTRODUCTION OF BILLS**

The Speaker announced the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 1445** by Senator Hensley.

Lawrence County -- Subject to local approval, authorizes Lawrence County to establish a part-time clerk of the grand jury, to be appointed by and serve at the pleasure of the foreman of the grand jury.

**Senate Bill No. 1446** by Senator Kelsey.

Shelby County -- Subject to local approval, increases library tax to be charged on actions of all county courts. Amends Chapter 275 of the Private Acts of 1970; as amended.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 6, 393, 425 and 1143** be passed on first consideration, which motion prevailed.

**HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 6** -- Taxes, Sales -- As introduced, allocates state sales tax revenue derived from sales of admissions to events of a major league soccer franchise to the municipality in which a sports authority is organized and has secured the franchise. Amends TCA Title 67, Chapter 6.

**House Bill No. 393** -- Criminal Offenses -- As introduced, expands the offense of theft to include new home construction contractors who fail to refund amounts paid under contract under certain circumstances or deviate from or disregard plans or specifications in any material respect that are contained in a new home construction contract. Amends TCA Title 39, Chapter 14.

**House Bill No. 425** -- Taxes, Real Property -- As introduced, authorizes a county board of equalization to conduct hearings by telephone or electronic means when a taxpayer is provided an opportunity to challenge an increase of tax assessment or change in property classification. Amends TCA Title 67, Chapter 5.

**House Bill No. 1143** -- Local Government, General -- As introduced, clarifies that no local government has the authority to enact a law that would place requirements regarding inclusionary, affordable, or below market value housing when entitlements, variances, or any other form of permit or authorization is sought from the local government. Amends TCA Title 7; Title 13 and Title 66.

**MOTION**

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1440 through 1444** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

**Senate Bill No. 1440** Local bill -- held on desk.

**Senate Bill No. 1441** Local bill -- held on desk.

**Senate Bill No. 1442** Local bill -- held on desk.

**Senate Bill No. 1443** Local bill -- held on desk.

**Senate Bill No. 1444** Local bill -- held on desk.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolution No. 295**; and **Senate Resolution No. 53** be passed on first consideration and lie over, which motion prevailed.

**INTRODUCTION OF RESOLUTIONS**

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 295** by Senator Tracy.  
Memorials, Personal Occasion -- Hazel Allen Gordon, 100th Birthday.

**Senate Resolution No. 53** by Senator Watson.  
General Assembly, Statement of Intent or Position -- Supports inclusion of Chickamauga Hydroelectric Project on National Register of Historic Places.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 230 through 233; Senate Joint Resolutions Nos. 278 through 286 and 288 through 294**; and **Senate Resolutions Nos. 38 through 52** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

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**House Joint Resolution No. 230** -- Memorials, Professional Achievement -- Dennis A. Wolford, Al Grant Award.

The Speaker announced that he had referred House Joint Resolution No. 230 to the Committee on Calendar.

**House Joint Resolution No. 231** -- Memorials, Death -- Command Sergeant Major Robert Louis Hatcher.

The Speaker announced that he had referred House Joint Resolution No. 231 to the Committee on Calendar.

**House Joint Resolution No. 232** -- Memorials, Recognition -- Occupational Therapists.

The Speaker announced that he had referred House Joint Resolution No. 232 to the Committee on Calendar.

**House Joint Resolution No. 233** -- Memorials, Sports -- Gatlinburg-Pittman High School girls' basketball team.

The Speaker announced that he had referred House Joint Resolution No. 233 to the Committee on Calendar.

**Senate Joint Resolution No. 278** -- Memorials, Sports -- South Greene High School Lady Rebels, TSSAA Class A State Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 278 to the Committee on Calendar.

**Senate Joint Resolution No. 279** -- Memorials, Retirement -- Charlie Garant.

The Speaker announced that he had referred Senate Joint Resolution No. 279 to the Committee on Calendar.

**Senate Joint Resolution No. 280** -- Memorials, Recognition -- King University, 150th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 280 to the Committee on Calendar.

**Senate Joint Resolution No. 281** -- Memorials, Recognition -- Dupree Farms, Tennessee Century Farm.

The Speaker announced that he had referred Senate Joint Resolution No. 281 to the Committee on Calendar.

**Senate Joint Resolution No. 282** -- Memorials, Interns -- James R. Copley.

The Speaker announced that he had referred Senate Joint Resolution No. 282 to the Committee on Calendar.

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**Senate Joint Resolution No. 283** -- Memorials, Retirement -- Dennis A. Welford.

The Speaker announced that he had referred Senate Joint Resolution No. 283 to the Committee on Calendar.

**Senate Joint Resolution No. 284** -- Memorials, Retirement -- Russell Kinser.

The Speaker announced that he had referred Senate Joint Resolution No. 284 to the Committee on Calendar.

**Senate Joint Resolution No. 285** -- Memorials, Professional Achievement -- Dr. Doug Woolsey, J.W. Massengill Distinguished Service to Agriculture Award.

The Speaker announced that he had referred Senate Joint Resolution No. 285 to the Committee on Calendar.

**Senate Joint Resolution No. 286** -- Memorials, Sports -- Morristown Heat travel basketball team.

The Speaker announced that he had referred Senate Joint Resolution No. 286 to the Committee on Calendar.

**Senate Joint Resolution No. 288** -- Memorials, Sports -- Mount Pisgah Christian Academy Lady Patriots.

The Speaker announced that he had referred Senate Joint Resolution No. 288 to the Committee on Calendar.

**Senate Joint Resolution No. 289** -- Memorials, Death -- Dr. Bill Sanders.

The Speaker announced that he had referred Senate Joint Resolution No. 289 to the Committee on Calendar.

**Senate Joint Resolution No. 290** -- Memorials, Sports -- Upperman High School girls' basketball team TSSAA Division I Class AA State Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 290 to the Committee on Calendar.

**Senate Joint Resolution No. 291** -- Memorials, Recognition -- Johnson City Community Theatre.

The Speaker announced that he had referred Senate Joint Resolution No. 291 to the Committee on Calendar.

**Senate Joint Resolution No. 292** -- Memorials, Recognition -- P.D. Mynatt.

The Speaker announced that he had referred Senate Joint Resolution No. 292 to the Committee on Calendar.

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**Senate Joint Resolution No. 293** -- General Assembly, Statement of Intent or Position -- Urges the United States to confront the main source of international terrorism sponsored by Iran and designate Iran's Islamic Revolutionary Guards Corps as a foreign terrorist organization.

The Speaker announced that he had referred Senate Joint Resolution No. 293 to the Committee on Finance, Ways and Means.

**Senate Joint Resolution No. 294** -- General Assembly, Confirmation of Appointment -- Herbert H. Hilliard, Tennessee Regulatory Authority.

The Speaker announced that he had referred Senate Joint Resolution No. 294 to the Committee on Commerce and Labor.

**Senate Resolution No. 38** -- Memorials, Recognition -- Metastatic Breast Cancer Awareness Month, July 2017.

The Speaker announced that he had referred Senate Resolution No. 38 to the Committee on Calendar.

**Senate Resolution No. 39** -- Memorials, Recognition -- Mount Nebo Missionary Baptist Church, 146th Anniversary.

The Speaker announced that he had referred Senate Resolution No. 39 to the Committee on Calendar.

**Senate Resolution No. 40** -- Memorials, Recognition -- Molly Hudgens, Citizens Honor Award.

The Speaker announced that he had referred Senate Resolution No. 40 to the Committee on Calendar.

**Senate Resolution No. 41** -- Memorials, Death -- Louise Zirkle.

The Speaker announced that he had referred Senate Resolution No. 41 to the Committee on Calendar.

**Senate Resolution No. 42** -- Memorials, Academic Achievement -- Ellison Murphree, Valedictorian, McEwen High School.

The Speaker announced that he had referred Senate Resolution No. 42 to the Committee on Calendar.

**Senate Resolution No. 43** -- Memorials, Academic Achievement -- Juliana White, Valedictorian, McEwen High School.

The Speaker announced that he had referred Senate Resolution No. 43 to the Committee on Calendar.

**Senate Resolution No. 44** -- Memorials, Academic Achievement -- Corrissa Tummins, Valedictorian, McEwen High School.

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The Speaker announced that he had referred Senate Resolution No. 44 to the Committee on Calendar.

**Senate Resolution No. 45** -- Memorials, Academic Achievement -- Eliza Keats Komisar, Valedictorian, Creek Wood High School.

The Speaker announced that he had referred Senate Resolution No. 45 to the Committee on Calendar.

**Senate Resolution No. 46** -- Memorials, Academic Achievement -- Sarah Jean Greer, Salutatorian, Creek Wood High School.

The Speaker announced that he had referred Senate Resolution No. 46 to the Committee on Calendar.

**Senate Resolution No. 47** -- Memorials, Academic Achievement -- Alexis Hudgins, Salutatorian, Hickman County High School.

The Speaker announced that he had referred Senate Resolution No. 47 to the Committee on Calendar.

**Senate Resolution No. 48** -- Memorials, Academic Achievement -- Cooper Mays, Valedictorian, Hickman County High School.

The Speaker announced that he had referred Senate Resolution No. 48 to the Committee on Calendar.

**Senate Resolution No. 49** -- Memorials, Academic Achievement -- Devanie Coombs, Valedictorian, South Haven Christian School.

The Speaker announced that he had referred Senate Resolution No. 49 to the Committee on Calendar.

**Senate Resolution No. 50** -- Memorials, Academic Achievement -- Andrew Reagan, Salutatorian, South Haven Christian School.

The Speaker announced that he had referred Senate Resolution No. 50 to the Committee on Calendar.

**Senate Resolution No. 51** -- Memorials, Academic Achievement -- Kandace Joyce Ailworth, Salutatorian, Pleasant View Christian School.

The Speaker announced that he had referred Senate Resolution No. 51 to the Committee on Calendar.

**Senate Resolution No. 52** -- Memorials, Academic Achievement -- Bailey Elizabeth Millett, Valedictorian, Pleasant View Christian School.

The Speaker announced that he had referred Senate Resolution No. 52 to the Committee on Calendar.



**MOTION**

Senator Bell moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 299**, out of order, which motion prevailed.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution No. 299** by Senator Bell.

Memorials, Heroism -- Corporal Brian Alexander, Deputy Jerry Wattenbarger, Lieutenant Eric Allman, Detective Jared Price, and Auxiliary Deputy Brian McKinney of McMinn County Sheriff's Office.

On motion of Senator Bell, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 299** was adopted.

A motion to reconsider was tabled.

**MOTION**

Senator Gresham moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 271** on the calendar for the Committee on Education for Tuesday, April 4, 2017, which motion prevailed.

**CONSENT CALENDAR NO. 1**

**Senate Joint Resolution No. 272** -- Memorials, Sports -- South Greene High School Cheerleaders, TSSAA Sportsmanship Award.

**Senate Joint Resolution No. 273** -- Memorials, Recognition -- Davis Creek Primitive Baptist Church, 220th Anniversary.

**Senate Joint Resolution No. 274** -- Memorials, Recognition -- Falcon Engineering and Robotics Team #547, Lincoln County High School.

**Senate Joint Resolution No. 275** -- Memorials, Personal Achievement -- Caelan Tanner Townsend, Eagle Scout.

**Senate Joint Resolution No. 276** -- Memorials, Personal Occasion -- Bernice Ritt, 100th Birthday.

**Senate Joint Resolution No. 277** -- Memorials, Recognition -- Dr. Charles Moffatt, Good Scout Award.

**House Joint Resolution No. 220** -- Memorials, Recognition -- Blount County Rescue Squad, 60th Anniversary.

**House Joint Resolution No. 221** -- Memorials, Professional Achievement -- David M. Tomlinson, Wilson County Agricultural Hall of Fame.

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**House Joint Resolution No. 222** -- Memorials, Recognition -- Malinda Gilbert.

**House Joint Resolution No. 223** -- Memorials, Personal Achievement -- Will Meacham, Eagle Scout.

**House Joint Resolution No. 224** -- Memorials, Death -- Rev. Melvin D. Wade.

**House Joint Resolution No. 227** -- Memorials, Professional Achievement -- Mitchell Cochran, Varney Humanitarian Award.

**House Joint Resolution No. 228** -- Memorials, Recognition -- Ray Crouch, Sr., Cheatham County Good Scout Award.

**House Joint Resolution No. 229** -- Memorials, Recognition -- Charles Jones.

Senator Massey moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**CONSENT CALENDAR NO. 2**

**Senate Bill No. 2** -- Education -- As introduced, clarifies that for purposes of school improvement plans, a school and LEA may choose either the ACT or SAT test scores as one of the assessments for student proficiency. Amends TCA Title 49, Chapter 1.

On motion, Senate Bill No. 2 was made to conform with **House Bill No. 1043**.

On motion, House Bill No. 1043, on same subject, was substituted for Senate Bill No. 2.

**Senate Bill No. 102** -- Sunset Laws -- As introduced, extends the Tennessee council for career and technical education four years to June 30, 2021. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 11.

**Senate Bill No. 257** -- Taxes, Real Property -- As introduced, states that return of the receipt for a mailed summons or notice that is either signed by the defendant or marked refused shall be grounds for a default judgment in a delinquent property tax case. Amends TCA Section 67-5-2415.

On motion, Senate Bill No. 257 was made to conform with **House Bill No. 579**.

On motion, House Bill No. 579, on same subject, was substituted for Senate Bill No. 257.

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**Senate Bill No. 286** -- Election Laws -- As introduced, permits an absentee ballot to be sent to an address within a county, regardless of whether the voter requesting the absentee ballot possesses a commercial driver license or a valid transportation worker identification credential. Amends TCA Title 2, Chapter 6.

**Senate Bill No. 692** -- Taxes -- As introduced, exempts methanol from gasoline and petroleum taxes when not blended or composed of other motor fuels. Amends TCA Title 9; Title 54; Title 55 and Title 67.

**Senate Bill No. 816** -- Criminal Offenses -- As introduced, gives immunity from civil or criminal liability to a person for making a report to law enforcement of suspicious activity or behavior if the report is based on articulable suspicion. Amends TCA Title 39, Chapter 13, Part 8.

On motion, Senate Bill No. 816 was made to conform with **House Bill No. 1366**.

On motion, House Bill No. 1366, on same subject, was substituted for Senate Bill No. 816.

**Senate Bill No. 957** -- Taxes -- As introduced, requires counties and cities that levy a local option sales tax to send a copy of the resolution or ordinance levying the tax to the commissioner of revenue no later than 30 days after it is adopted. Amends TCA Title 9; Title 54; Title 55 and Title 67.

**Senate Bill No. 1196** -- Education -- As introduced, revises present law concerning the use of assessment data. Amends TCA Section 10-7-504; Title 49, Chapter 1, Part 3 and Title 49, Chapter 1, Part 6.

On motion, Senate Bill No. 1196 was made to conform with **House Bill No. 309**.

On motion, House Bill No. 309, on same subject, was substituted for Senate Bill No. 1196.

**Senate Bill No. 1198** -- Education -- As introduced, revises various provisions regarding student accountability measures due to the implementation of the federal law The Every Student Succeeds Act (ESSA) including revising the way the state board of education and the department of education determine the performance level of a school. Amends TCA Title 49, Chapter 1, Part 6 and Section 49-6-6001.

**Senate Bill No. 1206** -- Mental Illness -- As introduced, establishes procedures to be followed by the trial court for the diagnosis, evaluation, and initial treatment of persons found not guilty by reason of insanity for first degree murder or certain other Class A felonies. Amends TCA Section 33-7-303.

**Senate Bill No. 1207** -- Taxes, Franchise -- As introduced, alters the formula for calculating quarterly estimated payments for franchise and excise taxes; makes other related revisions. Amends TCA Section 67-4-2008 and Section 67-4-2015.

On motion, Senate Bill No. 1207 was made to conform with **House Bill No. 320**.

On motion, House Bill No. 320, on same subject, was substituted for Senate Bill No. 1207.

**Senate Bill No. 1208** -- Taxes -- As introduced, delays effective date of certain streamlined sales tax provisions until July 1, 2019. Amends TCA Title 67; Chapter 72 of the Public Acts of 2011; Chapter 273 of the Public Acts of 2015; Chapter 480 of the Public Acts of 2013; Chapter 530 of the Public Acts of 2009 and Chapter 602 of the Public Acts of 2007.

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On motion, Senate Bill No. 1208 was made to conform with **House Bill No. 318**.

On motion, House Bill No. 318, on same subject, was substituted for Senate Bill No. 1208.

**Senate Bill No. 1246** -- Shelby County -- As introduced, increases membership on the county board of equalization from nine to 13 members. Amends TCA Title 67, Chapter 1.

**Senate Bill No. 1252** -- Children -- As introduced, amends the requirements for what is to be included in a petition filed in juvenile court; clarifies the requirement that a court conducting a termination of parental rights hearing admit evidence pursuant to the Tennessee Rules of Evidence. Amends TCA Section 36-1-113; Section 37-1-120; Section 37-1-129 and Section 37-1-183.

**Senate Bill No. 1360** -- Military -- As introduced, requires the adjutant general to provide a burial flag, upon application, to the members of the family of a deceased person who is an active, honorably discharged, or retired member of the national guard who served at least one year. Amends TCA Title 58, Chapter 1, Part 1.

**Senate Joint Resolution No. 182** -- Memorials, Congress -- Strongly urges Congress and the executive branch of the federal government to change statutes and regulations relating to Suboxone and Subutex.

**Senate Joint Resolution No. 263** -- General Assembly, Confirmation of Appointment -- Keith Jordan, Tennessee Regulatory Authority.

**Senate Resolution No. 33** -- General Assembly, Confirmation of Appointment -- Thomas A.H. White, Tennessee Board of Regents.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**CALENDAR**

Mr. Speaker McNally moved that **Senate Bill No. 329** be placed on the Calendar for Thursday, April 6, 2017, which motion prevailed.

**Senate Bill No. 365** -- Welfare -- As introduced, requires the Tennessee education lottery corporation to provide information to the department of human services for each person who wins a prize of more than \$5,000; requires the department of human services to conduct data matches

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against certain databases to determine SNAP eligibility; requires the bureau of TennCare to verify enrollee information against certain databases once an automated, electronic eligibility system is implemented. Amends TCA Title 4; Title 71, Chapter 5, Part 1 and Title 71, Chapter 5, Part 3.

On motion, Senate Bill No. 365 was made to conform with **House Bill No. 227**.

On motion, House Bill No. 227, on same subject, was substituted for Senate Bill No. 365.

**House Bill No. 227** passed its third and final consideration by the following vote:

Ayes . . . . .	26
Noes . . . . .	3

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Lundberg, Massey, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--26.

Senators voting no were: Harris, Kyle and Yarbro--3.

A motion to reconsider was tabled.

**Senate Bill No. 435** -- Museums -- As introduced, requires that certain information in the selection process for the position of director at the Tennessee state museum be treated as confidential and that meetings pertaining to confidential information not be subject to open meetings. Amends TCA Title 4, Chapter 12, Part 1.

On motion, Senate Bill No. 435 was made to conform with **House Bill No. 641**.

On motion, House Bill No. 641, on same subject, was substituted for Senate Bill No. 435.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 641** passed its third and final consideration by the following vote:

Ayes . . . . .	30
Noes . . . . .	0
Present, not voting . . .	1

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--30.

Senator present and not voting was: Yarbro--1.

A motion to reconsider was tabled.

**Senate Bill No. 921** -- Weapons -- As introduced, enacts the "Tennessee Hearing Protection Act," which deletes the prohibition on possession, manufacture, transport, repair, or sale of a firearm silencer. Amends TCA Section 39-17-1301 and Section 39-17-1302.

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**Senate Bill No. 921** passed its third and final consideration by the following vote:

Ayes . . . . . 28  
Noes . . . . . 1

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--28.

Senator voting no was: Harris--1.

A motion to reconsider was tabled.

**Senate Bill No. 1077** -- Handgun Permits -- As introduced, increases amount of time a handgun carry permit holder must notify the department of safety of a change of address from 60 days to 75 days. Amends TCA Title 39, Chapter 17, Part 13.

Senator Bowling moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1311, is amended by adding the following new subdivision (b)(1)(H)(iii):

(iii) For purposes of subdivision (b)(1)(H)(ii)(a) and (c), property described in subdivision (b)(1)(H)(i) is "in use" only when one (1) or more students are physically present on the property for an activity a reasonable person knows or should know is an athletic event, or other school event or school-related activity. Property listed in subdivision (b)(1)(H)(i) is not in use solely because equipment, materials, supplies, or other property owned or used by a school is stored, maintained, or permitted to remain on the property.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1077**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 29  
Noes . . . . . 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

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A motion to reconsider was tabled.

**Senate Bill No. 1339** -- Firearms and Ammunition -- As introduced, expands the exception to unlawful carrying or possession of a firearm or firearm ammunition to include carrying or possession in a recreational vehicle or motorized boat; clarifies that the exception includes a loaded firearm, as well as a firearm or ammunition. Amends TCA Section 39-17-1307.

On motion, Senate Bill No. 1339 was made to conform with **House Bill No. 688**.

On motion, House Bill No. 688, on same subject, was substituted for Senate Bill No. 1339.

On motion of Senator Bowling, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 688** passed its third and final consideration by the following vote:

Ayes .....	30
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

**Senate Bill No. 1369** -- Tobacco, Tobacco Products -- As introduced, authorizes municipalities located in Putnam County to prohibit, by local ordinance, smoking on the grounds of an urban park center. Amends TCA Title 39, Chapter 17.

On motion, Senate Bill No. 1369 was made to conform with **House Bill No. 113**.

On motion, House Bill No. 113, on same subject, was substituted for Senate Bill No. 1369.

**House Bill No. 113** passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 925** -- Election Laws -- As introduced, authorizes certain members of a board of public utilities to serve as a member of a county election commission; prescribes the process for certifying new voting systems for use in this state. Amends TCA Section 2-1-112 and Section 2-9-117.

On motion, Senate Bill No. 925 was made to conform with **House Bill No. 671**.

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On motion, House Bill No. 671, on same subject, was substituted for Senate Bill No. 925.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

On motion of Senator Beavers, Amendment No. 2 was withdrawn.

Senator Beavers moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting Section 3 and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 2-1-112(a), is amended by adding the following as a new subdivision:

(4) No person may serve as a member of a county election commission if the person has been a plaintiff in litigation against the county election commission on which the person seeks to serve and the court ruled in favor of the county election commission.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Thereupon, **House Bill No. 671**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	30
Noes . . . . .	0
Present, not voting . . .	1

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

Senator present and not voting was: Harris--1.

A motion to reconsider was tabled.

**Senate Bill No. 236** -- Sales -- As introduced, extends the time of sale of land to foreclose a deed of trust, mortgage or other lien securing the payment of money or other thing of value or under judicial orders or process from "10:00 am-4:00 pm" to "hours agreed upon by the seller and auctioneer." Amends TCA Title 26, Chapter 5 and Title 35, Chapter 5.

On motion, Senate Bill No. 236 was made to conform with **House Bill No. 95**.

On motion, House Bill No. 95, on same subject, was substituted for Senate Bill No. 236.



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On motion of Senator Bowling, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 95** passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**Senate Bill No. 305** -- Consumer Protection -- As introduced, removes certain acts from the list of prohibited acts by a litigation financier; gives priority, with exclusions, of an attached litigation financier lien over other liens that subsequently take effect and attach. Amends TCA Section 47-16-105 and Section 47-16-109.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 47-16-105, is amended by deleting subdivisions (7) and (9) and substituting instead:

(7) Attempt to effect mandatory arbitration or otherwise effect waiver of a consumer's right to a trial by jury;

(9) Assign, which includes securitizing, a litigation financing contract, in whole or in part, to a third party; however:

(A) This subdivision (9) does not prevent a litigation financier that retains responsibility for collecting payment, administering, or otherwise enforcing the litigation financing contract from making an assignment that is:

(i) To a wholly owned subsidiary of the litigation financier;

(ii) To an affiliate of the litigation financier that is under common control with the litigation financier; or

(iii) A grant of a security interest that is pursuant to title 47, chapter 9 or is otherwise permitted by law; and

(B) If an assignment is authorized and made pursuant to this subdivision (9), for purposes of this section, "litigation financier" includes a successor-in-interest to a litigation financing contract.

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SECTION 2. Tennessee Code Annotated, Section 47-16-109, is amended by deleting subsection (b) and substituting instead the following:

(b) The lien of a litigation financier on a consumer's legal claim has priority over liens that attach and take effect subsequent to the attachment of the litigation financier's lien to the consumer's legal claim, except for the following:

(1) Attorney liens, insurance carrier liens, medical provider liens, or liens based upon subrogation interests or rights of reimbursement related to the consumer's legal claim; and

(2) Child support, Medicare, tax, or any other statutory or governmental lien.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 305**, as amended, passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**Senate Bill No. 389** -- Taxes, Hotel/Motel -- As introduced, authorizes the City of McMinnville, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 3 percent on the privilege of staying in any hotel or motel in McMinnville; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. Amends TCA Section 67-4-1425.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting from Section 1 the language "in an amount not to exceed three percent (3%)" and substituting instead the language "in an amount not to exceed two and one-half percent (2.5%)".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 389**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 31  
Noes ..... 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**Senate Bill No. 449** -- Professions and Occupations -- As introduced, requires state governmental entities that establish or adopt guides to practice to do so through the promulgation of rules; guides to practice include codes of ethics, voluntary certification programs, and other measures required to ensure minimum quality of service. Amends TCA Title 4; Title 49; Title 62; Title 63; Title 68; Title 69 and Title 70.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 5, Part 2, is amended by adding the following as a new section:

(a)(1) All entities listed in chapter 29, part 2 of this title that establish or adopt guides to practice or that regulate professions that establish or adopt guides to practice shall promulgate rules specifying all provisions included in and relating to the guides to practice.

(2) No entity subject to this section shall adopt guides to practice developed or approved by any private organization or association that are not adopted in accordance with this chapter. Any changes to guides to practice made by a private organization or association after the guides to practice are adopted shall be effective only after the changes are also adopted in accordance with this chapter.

(3) This subsection (a) only applies to guides to practice:

(A) Established, adopted, or amended after the effective date of this act; and

(B) That must be complied with in order to maintain a person's license, certification, or registration in order to practice a profession.

(b) The rules promulgated by entities pursuant to subsection (a) shall:

(1) Supersede any existing guides to practice developed or approved by a private organization or association that conflict with or are otherwise not included in such rules; and

(2) Be promulgated in accordance with this chapter.

(c) As used in this section, "guides to practice" includes codes of ethics and other measures that establish service quality standards. "Guides to practice" does not include:

(A) Tests or examinations;

(B) Building codes;

(C) Safety codes; or

(D) Drug standards.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 449**, as amended, passed its third and final consideration by the following vote:

Ayes .....	26
Noes .....	1
Present, not voting ...	3

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--26.

Senator voting no was: Yarbrow--1.

Senators present and not voting were: Dickerson, Harris and Kyle--3.

A motion to reconsider was tabled.

**Senate Bill No. 469** -- Real Property -- As introduced, prohibits homeowners' associations from adopting or enforcing regulations that prohibit veterans from flying the U.S. flag and military flags. Amends TCA Title 5; Title 6; Title 7 and Title 66.

Senator Johnson moved to amend as follows:

#### AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 27, is amended by adding the following language as a new part:

**66-27-601.** As used in this part:

(1) "Dedictory instrument":

(A) Means each document governing the establishment, maintenance, or operation of a residential subdivision, planned unit development, condominium, horizontal property regime, or any similar planned development; and

(B) Includes a declaration or similar instrument subjecting real property to:

(i) Restrictive covenants, bylaws, or similar instruments governing the administration or operation of a homeowners' association;

(ii) Properly adopted rules and regulations of a homeowners' association; or

(iii) All lawful amendments to the covenants, bylaws, instruments, rules, or regulations of a homeowners' association;

(2) "Homeowners' association" means an incorporated or unincorporated association owned by or whose members consist primarily of the owners of the property covered by the dedicatory instrument and through which the owners, or the board of directors or similar governing body, manage or regulate the residential subdivision, planned unit development, condominium, horizontal property regime, or any similar planned development; and

(3) "Restrictive covenant" means any covenant, condition, or restriction contained in a dedicatory instrument, whether mandatory, prohibitive, permissive, or administrative.

**66-27-602.**

(a) Except as provided in subsection (b), no homeowners' association shall adopt or enforce a dedicatory instrument provision that prohibits, or has the effect of prohibiting, a property owner from displaying the flag of the United States of America or an official or replica flag of any branch of the United States armed forces, on the property owner's property.

(b) A homeowners' association may adopt or enforce reasonable rules and regulations regarding the placement and manner for the display of the flag of the United States of America or an official or replica flag of any branch of the United States armed forces.

(c) The property owner must display the flag of the United States of America in accordance with 4 U.S.C. §§ 5-10.

**66-27-603.**

This part shall apply to dedicatory instruments:

(1) Created on or after the effective date of this act; or

(2) Amended on or after the effective date of this act.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 469**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	30
Noes . . . . .	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

**Senate Bill No. 527** -- Solid Waste Disposal -- As introduced, increases the minimum number of members appointed to serve on regional solid waste boards, from five to seven; requires the two additional members to be elected officials from local governmental entities located within the region served by a board. Amends TCA Title 68, Chapter 211, Part 8.

Senator Southerland moved to amend as follows:

#### AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-211-813(b)(1), is amended by designating the existing language as subdivision (A) and adding the following as a new subdivision (B):

(B) The county and municipal mayors, and any other authorities, who appoint members to regional boards created under subdivision (b)(1)(A) must strive to ensure that at least two (2) elected officials serve on each regional board.

SECTION 2. Tennessee Code Annotated, Section 68-211-872, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

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(b) The department may provide guidelines and best practices for composting and recycling to regional board members, advisory committees, and Class I, Class III, and Class IV landfill owners and operators.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 527**, as amended, passed its third and final consideration by the following vote:

Ayes .....	30
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Southerland moved that **Senate Bill No. 609** be placed on the Calendar for Monday, April 10, 2017, which motion prevailed.

**Senate Bill No. 818** -- Water -- As introduced, extends time from January 31 to February 15 for commissioner of environment and conservation to provide report to the chair of the energy, agriculture and natural resources committee of the senate and the chair of the agriculture and natural resources committee of the house of representatives on the implementation of a secure web portal for the submittal of online permit applications. Amends TCA Title 69 and Title 70.

Senator Southerland moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 69-3-108, is amended by adding the following as a new subsection:

(u)(1) Notwithstanding any other provisions of the law, a person who has contracted for the right to store water in a reservoir owned by the U.S. Army Corps of Engineers shall have exclusive rights to any return flows generated directly or indirectly to that reservoir by the person. The rights conferred by this subsection (u) shall be subject to any regulatory requirements imposed by the commissioner and to the availability to the person of unused storage capacity within the reservoir to store such return flows.

(2) As used in this subsection (u), "return flow" means water that is discharged directly or indirectly to a reservoir from a water reclamation facility.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 818**, as amended, passed its third and final consideration by the following vote:

Ayes .....	30
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

**Senate Bill No. 999** -- Water Authorities -- As introduced, requires public reports on annual post audits of water and wastewater treatment authorities to be disseminated within five business days of the completion of such reports. Amends TCA Title 68 and Title 69.

Senator Southerland moved to amend as follows:

#### AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-221-607(a), is amended by deleting the word "and" at the end of subdivision (15), deleting the period at the end of subdivision (16) and substituting a semicolon, and adding the following as new subdivisions:

(17) Promulgate rules for the installation and maintenance of grease interceptors, the regulation of sewer discharges from industrial facilities, and the inspection and maintenance of private or public service laterals;

(18) Promulgate rules that impose on a customer base, region, neighborhood, basin, or area an obligation on customers, occupants, or property owners to inspect their own respective service laterals and make necessary repairs. The authority may apply specific requirements on one (1) customer base, region, neighborhood, or basin at a time due to environmental concerns, the need for repairs, internal budgeting, scheduling, and limited resources of the authority necessitating the authority to focus on one (1) area at a time;

(19)(A) Promulgate rules that impose penalties for failure to comply with the authority's rules, not to exceed:

(i) Five (5) times the fees avoided; or

(ii) Three (3) times the cost of cleanup, repair, enforcement, and damages, including costs incurred by the authority to make repairs or perform other work necessitated by the failure of a property owner to fulfill its obligations under applicable laws or the authority's rules.



For purposes of this subdivision (a)(19)(A)(ii), a property owner's obligations under applicable laws or the authority's rules includes, but is not limited to, the obligations to maintain service laterals and comply with regulations for controlling fats, oils, and grease;

(B) Promulgate rules that authorize shutting off water and sewage usage until a property owner or occupant complies with the authority's rules or pays any penalties imposed by the authority. The authority may impose a penalty against the owner or occupant of a property but shall not impose a penalty against an owner or occupant of property for a violation caused by a previous owner or occupant of the property; and

(20) Promulgate any other rules necessary to effectuate the purposes of this part, or to comply with the requirements of rules of the department of environment and conservation, regulations of the United States environmental protection agency, or consent decrees.

SECTION 2. Tennessee Code Annotated, Section 68-221-607, is amended by adding the following as a new subsection:

(d) No municipality or county government entity within the service area of a sewer authority created under this title may issue:

(1) A building permit or a demolition permit prior to a sewer permit being issued by the sewer authority, or

(2) A certificate of occupancy prior to a sewer permit being finalized by the sewer authority.

SECTION 3. Tennessee Code Annotated, Section 68-221-608, is amended by deleting subdivision (c)(1) and substituting the following:

(1) As used in this subsection (c):

(A) "Sewer" means waste water collection and/or treatment; and

(B) "Sewer service charges" includes all monies properly charged to sewer service customers and owners of properties receiving sewer service.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 999**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 30  
Noes . . . . . 0

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Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

**Senate Bill No. 1215** -- Telecommunications -- As introduced, creates a grant program for promoting the deployment and adoption of broadband internet access services; provides certain standards that must be met by a local community to benefit from such grants; allows an electric cooperative to provide broadband service within or without the cooperative's service area, subject to certain requirements; provides a tax credit for qualified broadband internet access equipment. Amends TCA Title 4, Chapter 3, Part 7; Title 7, Chapter 59, Part 3; Title 65, Chapter 25 and Title 67, Chapter 4, Part 20.

Senator Norris declared Rule 13 on **Senate Bill No. 1215**.

Senator Bell declared Rule 13 on **Senate Bill No. 1215**.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Tennessee Broadband Accessibility Act."

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 3, Part 7, is amended by adding the following new sections:

**4-3-708.**

(a) The commissioner of economic and community development is authorized to establish and administer the broadband accessibility grant program, referred to in this section as the "program," for the purpose of promoting the deployment and adoption of broadband internet access services, referred to in this section as "broadband services."

(b) The program is funded through the Tennessee broadband accessibility fund, referred to in this section as the "fund," established as a separate account in the general fund. Subject to the availability of revenue at the end of each fiscal year, the commissioner of finance and administration is authorized to carry forward any amounts remaining in the fund or transfer any part of the fund to the revenue fluctuation reserve. Moneys in the fund shall be invested by the state treasurer pursuant to title 9, chapter 4, part 6 for the sole benefit of the fund.

(c) The fund is subject to appropriations by the general assembly and gifts, grants, and other donations received by the department of economic and community development for the program or fund.

(d) The program is administered pursuant to policies developed by the department. The policies must provide for the awarding of grants to political subdivisions or entities of political subdivisions, corporations, limited liability companies, partnerships or other business entities that provide broadband services; cooperatives organized under the Rural Electric and Community Services Cooperative Act, compiled in title 65, chapter 25, or the Telephone Cooperative Act, compiled in title 65, chapter 29; and any other entity authorized by state law to provide broadband services.

(e) Grants must be awarded to promote the deployment and adoption of broadband services with minimum download speeds of ten megabits per second (10 Mbps) and minimum upload speeds of one megabit per second (1 Mbps) to locations without broadband services at these minimum speeds. Grants must be awarded pursuant to criteria developed by the department of economic and community development, with priority given to projects that:

(1) Serve locations without access to download speeds of at least ten megabits per second (10 Mbps) and upload speeds of at least one megabit per second (1 Mbps);

(2) Propose to acquire and install infrastructure that supports broadband services scalable to higher download and upload speeds. However, this priority shall not take precedence over serving a greater number of locations or larger area;

(3) Serve locations with demonstrated community support, including, but not limited to, documented support from the political subdivision or the political subdivision receiving designation as a broadband ready community pursuant to § 4-3-709;

(4) Have not received funds or have not been designated to receive funds through other state or federally funded grant programs designed specifically to encourage broadband deployment in an area within a location without the minimum speeds as described in this subsection (e); and

(5) Will provide higher download and upload speeds of broadband service to the locations served.

(f) Notwithstanding subsection (e), the department may award a portion of grant funds to local libraries in this state for the purpose of assisting the libraries in offering digital literacy training pursuant to state library and archives guidelines.

(g) Moneys in the fund may be used by the department of economic and community development for the purpose of administering the program. However, the expenses incurred to administer the program must not exceed five percent (5%) of the total amount appropriated for the program in any fiscal year.

(h) For any year in which grants are distributed under the program, the department shall produce a report on the status of grants under the program, including progress toward increased access to and adoption of broadband

services. The report must be provided to the governor, speaker of the house of representatives, and speaker of the senate and published on the department's website.

**4-3-709.**

(a)(1) A political subdivision may apply to the department of economic and community development for designation as a "broadband ready community" pursuant to guidelines established by the department. The guidelines for designation must include a requirement that the political subdivision has adopted an efficient and streamlined ordinance or policy for reviewing applications and issuing permits related to projects relative to broadband services. The ordinance or policy must contain the following:

(A) A single point of contact for all matters related to a project;

(B) A provision that all applications related to a project will be reviewed and either approved or denied within thirty (30) business days after the application is submitted; and

(C) An authorization that all forms, applications, and documentation related to a project may be signed by electronic means, where possible.

(2) A political subdivision shall not be designated a broadband ready community if the ordinance or policy:

(A) Requires an applicant to designate a final contractor to complete a project;

(B) Imposes an unreasonable fee for reviewing an application or issuing a permit for a project. A fee that exceeds one hundred dollars (\$100) is unreasonable for the purposes of this section;

(C) Imposes a seasonal moratorium on the issuance of permits for projects; or

(D) Discriminates among communications services providers or utilities with respect to any action related to a broadband project, including granting access to public rights-of-way, infrastructure and poles, and any other physical assets owned or controlled by the political subdivision.

SECTION 3. The Tennessee Advisory Commission on Intergovernmental Relations is directed to study and prepare a report updating its January 2017 Report on Broadband Internet Deployment, Availability, and Adoption in Tennessee, which shall be delivered to the General Assembly by January 15, 2021.

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SECTION 4. Tennessee Code Annotated, Section 7-59-312(h), is amended by deleting the language "Tennessee broadband deployment fund, created pursuant to § 7-59-315" and substituting instead the language "Tennessee broadband accessibility fund, created pursuant to § 4-3-708".

SECTION 5. Tennessee Code Annotated, Section 7-59-315, is amended by deleting the section in its entirety.

SECTION 6. Tennessee Code Annotated, Section 65-25-102(3), is amended by deleting the subdivision and substituting instead the following:

(3) "Community utility services" includes broadband internet access and related services and telecommunications services, including, but not limited to, television communication services of any kind and by any means, television programming and decryption services, selling, leasing, both as lessor and lessee, servicing and repairing related equipment, including TV antenna dishes, and the furnishing for any purpose to itself or to others, including other cooperatives, information and data relative to its or their other purposes, including, if such is the case, the primary purpose. Nothing in this subdivision (3) permits a cooperative to provide cable service, as defined in § 7-59-303, or video service, as defined in § 7-59-303, without complying with the requirement to obtain a franchise as set forth in the Competitive Cable and Video Services Act, compiled in title 7, chapter 59, part 3;

SECTION 7. Tennessee Code Annotated, Section 65-25-104(a)(2)(A), is amended by deleting ", § 65-25-105(c)".

SECTION 8. Tennessee Code Annotated, Section 65-25-105(c), is amended by deleting the subsection.

SECTION 9. Tennessee Code Annotated, Section 65-25-127, is amended by deleting the section.

SECTION 10. Tennessee Code Annotated, Section 65-25-130(b), is amended by deleting the language "the services authorized by § 65-25-105 in a joint venture" and substituting the language "services through a cable joint venture".

SECTION 11. Tennessee Code Annotated, Section 65-25-134(a), is amended by deleting the subsection and substituting instead the following:

(a)(1) Notwithstanding § 7-59-316, every cooperative has the power and is authorized, acting through its board of directors, to acquire, construct, own, improve, operate, lease, maintain, sell, mortgage, pledge, or otherwise dispose of any system, plant or equipment for the provision of telephone, telegraph, voice over internet protocol, telecommunications services, or any other like system, plant, or equipment within or without the service area of the cooperative in compliance with chapters 4 and 5 of this title and all other applicable state and federal laws, rules, and regulations. Notwithstanding § 65-4-101(6)(A)(vi) or any other provision of this code or of any private act to the contrary, to the extent that any cooperative provides any of the services authorized by this subdivision (a)(1), the cooperative shall be subject to regulation by the Tennessee regulatory authority in the same manner and to

the same extent as other certificated providers of the services authorized by this subsection (a), including, without limitation, rules or orders governing anti-competitive practices, and shall be considered as and have the duties of a public utility, as defined in § 65-4-101, but only to the extent necessary to effect such regulation and only with respect to the cooperative's provision of the services authorized by this subdivision (a)(1).

(2) Every cooperative has the power and is authorized, acting through its board of directors, to acquire, construct, own, improve, operate, lease, maintain, sell, mortgage, pledge, or otherwise dispose of any system, plant or equipment for the provision of broadband internet access, internet protocol-based video, video programming, or related or similar services, or any other like system, plant, or equipment within the service area of the cooperative in compliance with chapters 4 and 5 of this title and all other applicable state and federal laws, rules, and regulations, including, but not limited to, the requirement to obtain a franchise as set forth in § 7-59-304. Notwithstanding § 65-4-101(6)(A)(vi) or any other provision of this code or of any private act to the contrary, to the extent that any cooperative provides any of the services authorized by this subdivision (a)(2), the cooperative shall furnish the services on an area coverage basis, as defined in § 65-25-102, and shall be subject to regulation by the Tennessee regulatory authority in the same manner and to the same extent as other providers of broadband internet access, internet protocol-based video, video programming, or related or similar services, including, without limitation, rules or orders governing anti-competitive practices, and shall be considered as and have the duties of a public utility, as defined in § 65-4-101, but only to the extent necessary to effect such regulation and only with respect to the cooperative's provision of the services authorized by this subdivision (a)(2). In the event that a cooperative acquires, merges with, or consolidates with another entity that provides any one (1) of the services authorized by this subdivision (a)(2) in a geographic location concurrent with or adjacent to the electric service area of the cooperative, then, subsequent to such transaction, nothing in this section prohibits the electric cooperative from providing the services authorized by this subdivision (a)(2) in the geographic service territory in which the acquired or merged entity was authorized to provide such services prior to the merger, acquisition, or consolidation.

(3) A cooperative that elects to provide services authorized by subdivision (a)(2) shall provide other providers of such services non-discriminatory access to locate their equipment for the provision of such services on infrastructure or poles owned or controlled by the cooperative, subject to the terms of any pole attachment agreements between the cooperative and the other provider, the American National Standard Electric Safety Code described in § 68-101-104, and the structural integrity of the infrastructure or pole.

SECTION 12. Tennessee Code Annotated, Section 65-25-134(b), is amended by deleting the subsection and substituting instead the following:

(b)(1) A cooperative providing any of the services authorized by subsection (a) shall not provide subsidies for such services and shall administer, operate, and maintain the electric system separately in all respects, including

establishing and maintaining a separate fund for the revenues from electric operations, and shall not directly or indirectly mingle electric system funds or accounts, or otherwise consolidate or combine the financing of the electric system, with those of any other of its operations.

(2) A cooperative providing any of the services authorized by subdivision (a)(2) shall administer and operate such services as a separate subsidiary.

(3) Notwithstanding the limitations set out in this subsection (b), a cooperative providing the services authorized by subsection (a) is authorized to:

(A) Dedicate a reasonable portion of the electric plant to the provision of such services, the costs of which shall be allocated to such services in the separate accounting required under this subsection (b); and

(B) Lend funds, at a rate of interest not less than the highest rate then earned by the cooperative on invested electric plant funds, to acquire, construct, and provide working capital for the system, plant, and equipment necessary to provide any of the services authorized under subsection (a); provided, that such interest costs shall be allocated to the cost of such services in the separate accounting required under this subsection (b).

SECTION 13. Tennessee Code Annotated, Section 65-25-134(e)(2), is amended by deleting the language "or to operate a cable system as defined by § 7-59-201, except as permitted by Acts 1999, ch. 430,".

SECTION 14. Tennessee Code Annotated, Section 65-25-134, is amended by adding the following as new, appropriately designated subsections:

( ) It is unlawful for a cooperative to use unfair or anticompetitive practices prohibited by applicable state or federal law. Such practices shall include, but are not limited to, predatory pricing, collusion, and tying.

( ) Any person who has been damaged as a result of a violation of this section may bring a civil action in chancery court for injunctive or declaratory relief against the violation.

SECTION 15. Tennessee Code Annotated, Section 67-4-2009, is amended by adding the following language as a new subdivision:

(9)(A) Subject to appropriations and the limitation in subdivisions (9)(C) and (D), there shall be allowed against the sum total of the taxes imposed by the Franchise Tax Law of 1999, compiled in part 21 of this chapter, and by this part, a credit equal to six percent (6%) of the purchase price of qualified broadband internet access equipment;

(B) For purposes of this subdivision (9), "qualified broadband internet access equipment" means new equipment placed into service by a service provider to provide broadband internet access services at minimum download speeds of twenty-five megabits per second (25 Mbps) and minimum upload speeds of three megabits per second (3 Mbps) to locations in a tier 3 or tier 4 enhancement county as determined under § 67-4-2109(a), and includes, but is not limited to, asynchronous transfer mode switches, digital subscriber line access multiplexers, routers, servers, multiplexers, other electronic equipment, fiber optic and copper cables, transmission facilities, and related equipment and property used directly or indirectly to transmit broadband signals;

(C) The credit taken on any franchise and excise tax return, however, must not exceed fifty percent (50%) of the combined franchise and excise tax liability shown by the return before the credit is taken. Any unused credit may be carried forward in any tax period until the credit is taken. However, the credit may not be carried forward for more than fifteen (15) taxable years; and

(D)(i) The total amount of credit provided to all taxpayers under this subdivision (9) must not exceed five million dollars (\$5,000,000) for any calendar year;

(ii) If the total amount of credit claimed by all taxpayers for any calendar year exceeds the limitation in this subdivision (9)(D), the credit to be received by each taxpayer must be the product of five million dollars (\$5,000,000) multiplied by the quotient of the credit claimed by the taxpayer divided by the total of all credits claimed by all taxpayers;

(iii) For purposes of applying the limitation in this subdivision (9)(D), a taxpayer must submit an application for the credit allowed under this subdivision (9), in the form prescribed by the department, by October 15 following the calendar year in which the qualified broadband internet access equipment was placed into service. No credit must be allowed under this subdivision (9) to any taxpayer that fails to submit the application by October 15;

(iv) By December 15 following the October 15 deadline set forth in subdivision (9)(D)(iii), the department shall notify the taxpayer of the amount of the credit allowed; and

(v) At any time during the applicable limitations period set out in § 67-1-1501(b), the department is authorized to conduct audits or require the filing of additional information necessary to substantiate or adjust the amount of the credit taken by a taxpayer.

SECTION 16. This act shall take effect upon becoming a law, the public welfare requiring it, and Section 15 of this act shall apply to qualified broadband internet access equipment placed into service on or after the effective date of this act.

On motion, Amendment No. 1 was adopted.



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Senator Green moved for the previous question on **Senate Bill No. 1215**, as amended, which motion prevailed.

Thereupon, **Senate Bill No. 1215**, as amended, passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**Senate Bill No. 1216** -- Education, Higher -- As introduced, replaces the Tennessee National Guard Tuition Assistance Act with the Tennessee Support, Training, and Renewing Opportunity for National Guardsmen (STRONG) Act of 2017. Amends TCA Title 49, Chapter 4, Part 10.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting subdivision (4) in Section 5 and substituting instead the following:

(4) Tuition reimbursement amounts that a member is eligible to receive under this part must be offset and reduced by the aggregate amount of state and federal education financial assistance received by the member during the semester or educational term, unless federal law or regulation requires otherwise, in which case federal priority controls. Such assistance includes, but is not limited to, the Tennessee Promise scholarship, the Tennessee Reconnect grant, the Tennessee HOPE scholarship, and similar state assistance, as such assistance programs or grants may be amended, as well as Tennessee student assistance awards, the federal Pell grant, Montgomery GI Bill benefits, Post-9/11 GI Bill benefits, and federal tuition assistance program benefits;

On motion, Amendment No. 1 was adopted.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 1216**, as amended, passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**Senate Bill No. 1243** -- Courts, Juvenile -- As introduced, requires expunction of certain juvenile records upon petition; requires an adjudicating court to inform a child of the need to petition for expunction and to provide the child with a petition form; requires the administrative office of the courts to create a model petition form and distribute it to all juvenile court clerks; requires juvenile court clerks to make the form available to all petitioners. Amends TCA Section 37-1-153.

On motion, Senate Bill No. 1243 was made to conform with **House Bill No. 578**.

On motion, House Bill No. 578, on same subject, was substituted for Senate Bill No. 1243.

Senator Bowling moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-153(f)(1)(A)(i), is amended by deleting the language "eighteen (18)" and substituting instead the language "seventeen (17)".

SECTION 2. Tennessee Code Annotated, Section 37-1-153(f), is amended by adding the following as a new, appropriately designated subdivision:

In any case in which a child's juvenile record contains convictions solely for unruly adjudications or delinquency adjudications for offenses that would be misdemeanors if committed by an adult, the juvenile court shall expunge all court files and records after one (1) year from the child's completion of and discharge from any probation or conditions of supervision, upon the filing of a motion by the child. The court shall inform the child, at the time of adjudication, of the need to file a motion to expunge after a year from the successful completion of probation and provide the child with a model expunction motion prepared by the administrative office of the courts. The administrative office of the courts shall create a motion that can be completed by a child and shall circulate the motion to all juvenile court clerks. All juvenile court clerks shall make this model expunction motion accessible to all children.

SECTION 3. If this act (SB 1243 / HB 578) and SB 1253 / HB 636 both become law, the Tennessee Code Commission is requested to update the references to "subdivisions (f)(1)-(7)" found in SB 1253 / HB 636 to include the addition of the new, appropriately designated subdivision to subsection (f) added by this act.

SECTION 4. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 578**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 31  
Noes ..... 0

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Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Beavers moved that **Senate Bill No. 145** be placed on the Calendar for Thursday, April 6, 2017, which motion prevailed.

**Senate Bill No. 38** -- Campaigns and Campaign Finance -- As introduced, authorizes members of the general assembly and political campaign committees to fundraise during a recess in even-numbered years if the general assembly adjourns before May 15 for a period of not less than 10 calendar days, Sundays excepted. Amends TCA Title 2, Chapter 10, Part 3.

Senators Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Hensley, Jackson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Southerland, Stevens, Tate, Tracy, Watson, Yager and Yarbrow declared Rule 13 on **Senate Bill No. 38**.

On motion, Senate Bill No. 38 was made to conform with **House Bill No. 16**.

On motion, House Bill No. 16, on same subject, was substituted for Senate Bill No. 38.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following as a new section immediately preceding the effective date section and redesignating the effective date section accordingly:

SECTION\_\_\_. Tennessee Code Annotated, Title 2, Chapter 10, Part 3, is amended by adding the following as a new section thereto:

2-10-312.

Notwithstanding any other law to the contrary, with regard to any candidate for senate, the limits in § 2-10-302(a)(2), § 2-10-302(b)(1), § 2-10-302(c)(1)(B) and § 2-10-306(a)(2) shall reset every two (2) years in the same manner the house of representatives limits reset; provided, however, a candidate has a total of four (4) years to accumulate the total amount allowed by having the limits reset every two (2) years. Any candidate running for senate shall have the same limits as any candidate in the same race who has accumulated limits under this section.

On motion, Amendment No. 1 was adopted by the following vote:

Ayes .....	26
Noes .....	3

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Lundberg, Massey, Niceley, Norris, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--26.

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Senators voting no were: Harris, Kyle and Yarbrow--3.

Thereupon, **House Bill No. 16**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	27
Noes . . . . .	2
Present, not voting . . .	1

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Lundberg, Massey, Niceley, Norris, Southerland, Stevens, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--27.

Senators voting no were: Kyle and Yarbrow--2.

Senator present and not voting was: Harris--1.

A motion to reconsider was tabled.

Mr. Speaker McNally moved that **Senate Bill No. 154** be placed at the heel of the Calendar for today, which motion prevailed.

**Senate Bill No. 519** -- Pets -- As introduced, enacts the "Tennessee Retail Pet Store Consumer Protection Act" to provide coverage for certain veterinary expenses to persons who buy defective dogs from retail pet stores. Amends TCA Title 44, Chapter 17.

Senator Watson declared Rule 13 on **Senate Bill No. 519**.

Senator Southerland moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting 44-17-802(2) in Section 1 and substituting instead the following:

(2)(A) "Retail pet store" means a retail establishment:

(i) That sells companion animals that are not bred or raised on the premises of the establishment to the public; and

(ii) Where the salesperson, the companion animal buyer, and the companion animal for sale are physically present during the sales transaction so that the buyer may personally observe the companion animal and help ensure its health prior to taking possession of the companion animal.

(B) "Retail pet store" does not include a flea market as defined in § 44-17-102;  
and

AND FURTHER AMEND by deleting 44-17-803(a)(1)(A)(iv) in Section 1 and redesignating the remaining sections accordingly.

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On motion, Amendment No. 1 was adopted.

Senator Southerland moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting the following language from 44-17-805 in Section 1:

No political subdivision or agency may enact or enforce a law, ordinance, resolution, or regulation that regulates or prohibits any conduct in the area covered by this part.

and substituting the following language:

No county or municipality may adopt an ordinance or resolution that regulates or prohibits any conduct in the area covered by this part. No governmental entity that is authorized to promulgate rules or issue proclamations may promulgate a rule or issue a proclamation that regulates or prohibits any conduct in the area covered by this part. No state or local governmental entity may enforce an ordinance, resolution, rule, or proclamation that regulates or prohibits any conduct in the area covered by this part.

On motion, Amendment No. 2 was adopted.

Senator Lundberg moved that Amendment No. 3 be placed at the heel of the Amendments, which motion prevailed.

Senator Johnson moved that Amendment No. 4 be placed behind Amendment No. 7, which motion prevailed.

Senator Ketron moved that Amendment No. 5 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 6 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved to amend as follows:

**AMENDMENT NO. 7**

AMEND by adding the following language as a preamble between the caption and the enacting clause:

WHEREAS, the "Tennessee Retail Pet Store Consumer Protection Act" provides health warranty guarantees to consumers that purchase dogs from retail pet stores in Tennessee; and

WHEREAS, it is the intent of the "Tennessee Retail Pet Store Consumer Protection Act" to provide protection to both companion animals and consumers that buy dogs from retail pet stores in Tennessee; and

WHEREAS, it is the intent of the General Assembly to preempt any local ordinance or resolution adopted to regulate the sale, delivery, barter, auction, broker, or transfer of a companion animal to a person from a retail pet store; and

WHEREAS, it is the intent of the General Assembly to clarify that current and future federal, state, and local laws pertaining to animal welfare, animal cruelty, animal protection, retail pet store zoning, and retail pet store permitting that do not ban a retail pet store from selling dogs and cats as sourced by the retail pet store to the public, are to be enforced and not affected by the "Tennessee Retail Pet Store Consumer Protection Act"; now, therefore,

AND FURTHER AMEND by deleting 44-17-803(b) in Section 1 and substituting the following:

(b)(1) Except as otherwise provided under this part, if, within fourteen (14) days immediately following the sale of a dog by a retail pet store, a veterinarian of the purchaser's choosing makes a written determination that the dog was unfit for purchase due to illness, a congenital malformation that adversely affects the dog's health, or the presence of symptoms of a contagious or infectious disease, the retail pet store, in addition to any other warranty provided to the purchaser, shall provide the purchaser with the purchaser's choice of one (1) of the following remedies:

(A) The purchaser may return the dog to the retail pet store for a full refund of the purchase price and, subject to subdivision (b)(2), reimbursement of any reasonable veterinary expenses incurred to diagnose the returned dog's condition;

(B) The purchaser may exchange the dog for another dog of equivalent value as determined by the retail pet store's asking price and, subject to subdivision (b)(2), reimbursement of any reasonable veterinary expenses incurred to diagnose the exchanged dog's condition;

(C) The purchaser may retain the dog and, subject to subdivision (b)(2), receive reimbursement of reasonable veterinary expenses incurred to diagnose or treat the dog; or

(D) If the dog has died, the purchaser may:

(i) Receive from the retail pet store a full refund of the purchase price and, subject to subdivision (b)(2), reimbursement of any reasonable veterinary expenses incurred to diagnose the deceased dog's condition; or

(ii) Receive from the retail pet store another dog of equivalent value as determined by the retail pet store's asking price and, subject to subdivision (b)(2), reimbursement of any reasonable veterinary expenses incurred to diagnose the deceased dog's condition.

(2) The total amount of return or replacement costs, reasonable veterinary expenses, and all costs incurred in medical care that may be claimed for reimbursement under subdivisions (b)(1)(A)-(D) shall not exceed one hundred fifty percent (150%) of the dog's purchase price.

(3) For purposes of determining the reasonableness of the cost of veterinary services for which reimbursement must be made under subdivisions (b)(1)(A)-(D), the cost of such services will be deemed reasonable if the cost is substantially similar to the cost of the same services rendered by other veterinarians in close geographic proximity to the treating veterinarian.

(4) For the purpose of determining the amount of reimbursement that must be made under subdivisions (b)(1)(A)-(D), the reimbursement shall not include the costs of initial veterinary examination or diagnostic fees that are not directly related to the veterinarian's determination that the dog is unfit for purchase.

AND FURTHER AMEND by deleting 44-17-803(d)-(f) in Section 1 and substituting the following:

(d) A retail pet store must provide a remedy, as required by subdivisions (b)(1)(A)-(D), to a person who:

(1) Purchased a dog from the retail pet store and makes a request for such remedy;

(2) Provides the retail pet store with a veterinarian's statement that contains the information required by subsection (c); provided, that the veterinarian's statement must be:

(A) Based on an examination of the dog that occurred within fourteen (14) days of the dog's purchase; and

(B) Delivered to the retail pet store within three (3) business days immediately following the purchaser's receipt of the veterinarian's statement;

(3) Provides the retail pet store with an itemized bill of charges for examination and testing that resulted in a diagnosis disclosed under subdivision (c)(7), and treatment disclosed under subdivision (c)(9); and

(4) Provides the retail pet store with the original copy of the written notice or any document containing the written notice that was provided to the purchaser under subsection (a).

(e) Except as provided in subsection (f) and § 44-17-804, a remedy, as required by subdivisions (b)(1)(A)-(D), must be provided within ten (10) business days immediately following the retail pet store's receipt of the purchaser's timely request accompanied by the documentation required under subdivisions (d)(2)-(4).

(f)(1) A retail pet store may contest a request for a remedy under subdivisions (b)(1)(A)-(D), made by a purchaser under this section by requesting that the purchaser produce the dog for examination by a veterinarian designated by the retail pet store. If the purchaser does not produce the dog for examination by a veterinarian designated by the retail pet store within fourteen (14) days of being requested to do so, the purchaser forfeits any right to claim a remedy under subdivisions (b)(1)(A)-(D).

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(2) If a dog's purchaser and the retail pet store are unable to resolve a request for a remedy under subdivisions (b)(1)(A)-(D) within ten (10) business days immediately following receipt of the dog for an examination by a veterinarian designated by the retail pet store, the purchaser may initiate a civil action for a remedy under subdivisions (b)(1)(A)-(D) in a court of competent jurisdiction.

AND FURTHER AMEND by deleting 44-17-805 from Section 1 and substituting instead the following:

**44-17-805.**

(a) The general assembly, by enacting this part, intends to preempt any local ordinance or resolution adopted to regulate the sale, delivery, barter, auction, broker, or transfer of a companion animal to a person from a retail pet store. No county or municipality may adopt an ordinance or resolution that regulates or prohibits any conduct in the area covered by this part. No local governmental entity may enforce an ordinance or resolution that regulates or prohibits any conduct in the area covered by this part.

(b) All counties, municipalities, and local government agencies shall retain authorization to adopt and enforce ordinances, resolutions, and regulations pertaining to animal cruelty, animal welfare, animal protection, retail pet store zoning, and retail pet store permitting that do not prohibit a retail pet store from selling companion animals as sourced by the retail pet store to the public.

On motion, Amendment No. 7 was adopted.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 4**

AMEND by deleting section 44-17-805 in Section 1 and substituting the following:

**44-17-805.** Nothing in this part preempts or otherwise affects an ordinance or resolution that is more restrictive than this part governing the sale, delivery, barter, auction, broker, or transfer of a companion animal to a person from a retail pet store, or any other conduct in the area covered by this part, whether enacted or modified prior to, or on or after, July 1, 2017, by a municipality or county, including a county with a metropolitan form of government.

Senator Massey moved that Amendment No. 4 go to the table, which motion prevailed by the following vote:

Ayes . . . . . 16  
Noes . . . . . 13

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Gardenhire, Green, Gresham, Haile, Harper, Jackson, Massey, Roberts, Southerland, Tracy, Yager and Mr. Speaker McNally--16.

Senators voting no were: Briggs, Crowe, Dickerson, Hensley, Johnson, Ketron, Kyle, Lundberg, Niceley, Norris, Stevens, Tate and Yarbro--13.



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On motion of Senator Niceley, Amendment No. 8 was withdrawn.

Senator Crowe moved that Amendment No. 9 be placed at the heel of the Amendments, which motion prevailed.

Senator Stevens moved that Amendment No. 10 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator Niceley, Amendment No. 11 was withdrawn.

Senator Haile moved that Amendment No. 12 be placed at the heel of the Amendments, which motion prevailed.

Senator Lundberg moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 2010 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
18,200	18,300
57,400	57,500
156,800	156,900

Senator Massey moved that Amendment No. 3 go to the table, which motion prevailed by the following vote:

Ayes .....	16
Noes .....	12

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Gardenhire, Gresham, Haile, Harper, Jackson, Massey, Roberts, Southerland, Stevens, Tracy, Yager and Mr. Speaker McNally--16.

Senators voting no were: Briggs, Crowe, Dickerson, Hensley, Johnson, Ketron, Kyle, Lundberg, Niceley, Norris, Tate and Yarbrow--12.

On motion of Senator Ketron, Amendment No. 5 was withdrawn.

On motion of Senator Yarbrow, Amendment No. 6 was withdrawn.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 9**

AMEND by adding the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

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SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 2010 federal census or any subsequent federal census of:

not less than  
18,301  
122,900

nor more than  
18,400  
123,000

Senator Massey moved that Amendment No. 9 go to the table, which motion prevailed by the following vote:

Ayes ..... 16  
Noes ..... 12

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Gardenhire, Green, Gresham, Harper, Jackson, Massey, Roberts, Southerland, Stevens, Tracy, Yager and Mr. Speaker McNally--16.

Senators voting no were: Briggs, Crowe, Dickerson, Hensley, Johnson, Ketron, Kyle, Lundberg, Niceley, Norris, Tate and Yarbrow--12.

On motion of Senator Stevens, Amendment No. 10 was withdrawn.

On motion of Senator Haile, Amendment No. 12 was withdrawn.

Senator Bell moved for the previous question on **Senate Bill No. 519**, as amended, which motion prevailed by the following vote:

Ayes ..... 20  
Noes ..... 10

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Jackson, Ketron, Massey, Roberts, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--20.

Senators voting no were: Briggs, Dickerson, Harris, Hensley, Johnson, Kyle, Lundberg, Niceley, Norris and Yarbrow--10.

Thereupon, **Senate Bill No. 519**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 19  
Noes ..... 11

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Ketron, Massey, Roberts, Southerland, Tracy, Watson, Yager and Mr. Speaker McNally--19.

Senators voting no were: Briggs, Crowe, Dickerson, Hensley, Johnson, Kyle, Lundberg, Niceley, Stevens, Tate and Yarbrow--11.

A motion to reconsider was tabled.

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**Senate Bill No. 695** -- Alcoholic Beverages -- As introduced, allows special occasion licensees to receive donated alcoholic beverages and beer; allows alcoholic beverage commission to issue citation for a retailer who fails to satisfy obligations to a wholesaler; makes various other revisions. Amends TCA Section 57-1-108; Section 57-1-201; Section 57-3-101; Section 57-3-104; Section 57-3-411; Section 57-3-703; Section 57-3-704; Section 57-3-802; Section 57-3-805; Section 57-4-101; Section 57-4-102; Section 57-4-107; Section 57-4-201; Section 57-4-203 and Section 57-9-201.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Sections 4, 5, and 6 and renumbering the subsequent sections accordingly.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 695**, as amended, passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	2

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

Senators voting no were: Beavers and Southerland--2.

A motion to reconsider was tabled.

**Senate Bill No. 154** -- Physicians and Surgeons -- As introduced, permits osteopathic physicians with certifications in pain management or pain medicine to practice in interventional pain management or as pain management specialists. Amends TCA Title 63.

Senator Dickerson declared Rule 13 on **Senate Bill No. 154**.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Section 3 in its entirety and substituting the following as a new Section 3:

SECTION 3. Tennessee Code Annotated, Section 63-1-301(8)(D), is amended by deleting the subdivision in its entirety and substituting instead the following:

(D) "Pain management clinic" does not mean a clinic, facility, or office that is wholly owned and operated by a physician multispecialty practice in which one (1) or more board-eligible or board-certified medical specialists who have also completed fellowships in pain medicine or pain management approved by the Accreditation Council for Graduate Medical Education, or who are also board-certified in pain

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medicine or pain management by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the American Association of Physician Specialists, or the American Osteopathic Association to perform the pain management services for chronic pain patients;

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 154**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 31  
Noes ..... 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**MOTION**

Senator Yager moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 703 and 1160** on the calendar for the Committee on State and Local Government for Tuesday, April 4, 2017, which motion prevailed.

**MOTION**

Senator Crowe moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1309** on the calendar for the Committee on Health and Welfare for Wednesday, April 5, 2017, which motion prevailed.

**PRESENTATION**

Senator Gardenhire introduced Bishop Kevin Adams, Sr., of Olivet Baptist Church in Chattanooga, Tennessee, who led the Senate in prayer.

**NOTICE**

**MESSAGE FROM THE HOUSE**

March 30, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 433, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MOTION**

On motion of Senator Green, his name was added as sponsor of **Senate Bill No. 261; and House Joint Resolution No. 231.**

On motion of Senators Bailey and Haile, their names were added as sponsors of **Senate Bill No. 365.**

On motion of Senator Haile, his name was added as sponsor of **Senate Bill No. 469.**

On motion of Senator Roberts, his name was added as sponsor of **Senate Bills Nos. 816, 1360 and 1387; and House Joint Resolution No. 228.**

On motion of Senator Gardenhire, his name was added as sponsor of **Senate Bill No. 999.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 1078.**

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 1079.**

On motion of Senator Gresham, her name was added as sponsor of **Senate Bills Nos. 1196 and 1198.**

On motion of Senators Crowe, Gresham, Hensley and Niceley, their names were added as sponsors of **Senate Bill No. 1215.**

On motion of Senators Hensley, Massey and Watson, their names were added as sponsors of **Senate Bill No. 1216.**

On motion of Senators Harper and Jackson, their names were added as sponsors of **Senate Bill No. 1243.**

On motion of Senator Watson, his name was added as sponsor of **Senate Resolution No. 33.**

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 221.**

On motion of Senator Tracy, his name was added as sponsor of **House Joint Resolution No. 223.**

On motion of Senator Harris, his name was added as sponsor of **House Joint Resolution No. 224.**

On motion of Senator Bell, his name was added as sponsor of **House Joint Resolution No. 227.**

**ENGROSSED BILLS**

April 3, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 102, 154, 305, 389, 449, 469, 527, 692, 695, 818, 921, 957, 999, 1077,

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1198, 1206, 1215, 1216, 1246, 1252 and 1360; and Senate Joint Resolutions Nos. 182, 263, 272, 273, 274, 275, 276 and 277; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENGROSSED BILLS**

April 3, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 286; and Senate Joint Resolution No. 299; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENGROSSED BILLS**

April 3, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 519, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE HOUSE**

April 4, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 39, 61, 147, 166, 315, 527, 577, 636, 768, 903, 1384 and 1392; passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 4, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 234, 235, 236 and 238; adopted, for the Senate's action.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 3, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 20, 198, 231, 238, 273, 693, 1191, 1305 and 1318; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,  
Chief Clerk

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**MESSAGE FROM THE HOUSE**

April 3, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 274 and 823, substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 3, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 281, 286, 428, 506, 510, 1195 and 1211; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 3, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 107, 258, 259, 260, 261, 262, 264, 265, 266, 267, 270, 271 and 287; concurred in by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 3, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 175, substituted for House Joint Resolution on same subject and concurred in by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 3, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 299, concurred in by the House.

TAMMY LETZLER,  
Chief Clerk

**ENROLLED BILLS**

April 4, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 20, 198, 231, 238, 273, 274, 281, 286, 428, 506, 510, 693, 823, 1191, 1195, 1211, 1305 and 1318; and Senate Joint Resolutions Nos. 107, 175, 258, 259, 260, 261, 262,

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264, 265, 266, 267, 270, 271 and 287; and Senate Resolution No. 33; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENROLLED BILLS**

April 4, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 299, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE HOUSE**

April 4, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 312, 1414 and 1417; for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 4, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 220, 221, 222, 223, 224, 227, 228 and 229; for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**SIGNED**

April 3, 2017

The Speaker announced that he had signed the following: Senate Bills Nos. 88, 97, 112, 138, 348, 385, 902 and 1202; and House Bills Nos. 81, 173, 520, 1112 and 1415.

**SIGNED**

April 4, 2017

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 107, 175, 258, 259, 260, 261, 262, 264, 265, 266, 267, 270, 271 and 287; Senate Resolution No. 33; and House Joint Resolutions Nos. 220, 221, 222, 223, 224, 227, 228 and 229.

**SIGNED**

April 4, 2017

The Speaker announced that he had signed the following: Senate Joint Resolution No. 299.



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**SIGNED**

April 4, 2017

The Speaker announced that he had signed the following: House Bills Nos. 312, 1414 and 1417.

**MESSAGE FROM THE HOUSE**

April 3, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 88, 97, 112, 138, 348, 385, 902 and 1202; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 4, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 107, 175, 258, 259, 260, 261, 262, 264, 265, 266, 267, 270, 271 and 287; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

April 4, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 299, signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

April 3, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 78, 249, 251, 252, 253, 256, 257 and 269; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

April 4, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 88, 97, 112, 138, 348, 385, 902 and 1202; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

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**REPORT OF DEPUTY CHIEF CLERK**

April 4, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 299, for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE GOVERNOR**

April 4, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 547, 681, 996, 1013, 1074 and 1266; with his approval.

DWIGHT E. TARWATER,  
Counsel to the Governor

**MESSAGE FROM THE GOVERNOR**

April 4, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 78, 249, 251, 252, 253, 256, 257 and 269; with his approval.

DWIGHT E. TARWATER,  
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 6, 2017: Senate Joint Resolutions Nos. 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 290, 291 and 292; Senate Resolutions Nos. 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52; and House Joint Resolutions Nos. 230, 231, 232 and 233.

This the 4th day of April, 2017  
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 6, 2017: Senate Bills Nos. 413, 517, 622, 639, 651, 669, 679, 699, 790, 845, 885, 951, 983, 989, 1087, 1179, 145, 329, 968 and 1238.

This the 4th day of April, 2017  
MASSEY, Chairperson

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**REPORT OF COMMITTEE ON CALENDAR  
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bill and it has been set on the Message Calendar for Thursday, April 6, 2017: Senate Bill No. 433.

This the 4th day of April, 2017  
MASSEY, Chairperson

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 8:30 a.m., Thursday, April 6, 2017, which motion prevailed.